

REMARKS

Claims 1-15 and 17-25 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Requirement for Information, Public Use or Sale

The Examiner requested additional information regarding previous versions of BuyerXpert and the claimed subject matter, press releases or any publications applicable to the claim limitations, and results related to beta testing of BuyerXpert 4.0. Additionally, the Examiner included several web press releases related to BuyerXpert.

In response to the Examiner's request, the Examiner is referred to the press releases and documents included with Applicants' 1.131 Declaration (submitted July 5, 2006) which refer to the first public release of the BuyerXpert 4.0 software. According to current knowledge and readily available information, there were no public betas or other public releases of the BuyerXpert 4.0 applicable to the current claim limitations prior to December 11, 2000. Previous versions of BuyerXpert (e.g., 3.5 and lower) did not include functionality claimed in the instant Application. The press releases included by the Examiner relate to previous versions of BuyerXpert that did not include functionality claimed in the instant Application. According to current knowledge and readily available information, December 11, 2000 is the first public disclosure or release of BuyerXpert 4.0 that is related to the instant claims.

The above response reflects current knowledge and readily available information. Any requested information not addressed by the above response is either unknown or not readily available.

Section 102(b) Rejection:

The Examiner rejected claims 1-5 and 7 under 35 U.S.C. § 102(b) as being anticipated by Edwards et al. (U.S. Patent 5,557,780) (hereinafter “Edwards”). Applicants traverse this rejection for at least the following reasons.

Regarding claim 1, Edwards fails to disclose an electronic purchasing and procurement system, comprising applications content translation logic that, in response to receiving a particular purchase request associated with a particular purchasing requisitioner, dynamically presents translated applications content in a third format for delivery to said purchasing requisitioner and also translates content to said particular purchasing requisitioner for presentation thereto, by selectively retrieving one or more of said corresponding data objects and attributes according to a flag, wherein said flag indicates whether or not a corresponding data object or attribute is to be presented in said third format. With regard to these limitations, the Examiner cites the abstract, column 3, lines 56-57, and column 7, line 3-column 8 line 13, and asserts “the Examiner notes that using the segmented/parsed data inbound transactions are translated to an internal format then to an outbound format”. With regard to the Examiner’s comment, Applicants assert that the mere fact that Edwards teaches translation from a first format to a second format and back to the first format does not teach, suggest, *or even hint at* the specific selective retrieval of data objects and attributes according to a flag as recited in claim 1. With regard to the cited portions, Applicants note that the abstract only teaches that Edwards relates to a system for translating EDI documents to an internal format and back to an original EDI format; the cited portion of column 3 only teaches that “all transactions are stored and maintained internally in a common internal system format”; and the cited portion of column 7 teaches how incoming documents are translated to the internal format. More specifically, each of the cited section (and all of Edwards) fails to teach or suggest dynamically presenting translated applications content in a third format for delivery to said purchasing requisitioner and also for translating content to said particular purchasing requisitioner for presentation thereto, by selectively retrieving one or more of said corresponding

data objects and attributes according to a flag, wherein said flag indicates whether or not a corresponding data object or attribute is to be presented in said third format. Edwards nowhere teaches or suggests using flags for translation or dynamic presentation of the content in a third format as recited in claim 1.

In response to these arguments, the Examiner asserts:

Edwards utilizes envelope data, data segments, and data identifiers in an analogous fashion as the ‘flags’ recited in claim 1 in order to selectively retrieve and further translate inbound and outbound communications to and from the internal format (see at least: col. 7 lines 35-48, col. 5 lines 54-61, col. 10 lines 1-29), and merely labeling the recited elements as a ‘flag’ does not distinguish it from the elements noted in Edwards as they function analogously.

The Examiner’s statement is simply not supported by the actual teachings of the reference. Edwards fails to disclose the specific selective retrieval disclosed in the claim. The cited portions do not provide the functionality recited by the present claims. Edwards does not selectively retrieve data objects for inclusion in the third format (by any means, much less using the flags required by claim 1). More specifically, the cited portion of column 7 only describes the EDI transmissions have content data which consist of data segments and elements which conform to a particular EDI standard. Applicants assert that one skilled in the art would not mistake a description of a generic logical record selectively retrieving one or more data objects and attributes according to a flag, where the flag indicates whether a corresponding data object is included in a third data format. The cited portion of column 5 provides a brief description of Figure 12. The actual description of Figure 12 relates to transaction error checks/post processing (e.g., verification of the number of records per transaction, whether or not the transaction is a duplicate or other validation tests). Similar to above, the cited portion does not relate to selective retrieval of data objects and attributes according to a flag for inclusion in a third data format. The cited portion of column 10 does relate to flags; however, these notification flags indicate whether current transactions in the pending transactions file require notification. If the current transactions do require notification, a corresponding email may be generated and sent. Applicants assert that one skilled in the art would not

mistake notification flags related to emailing of **entire** transactions to corresponding parties with **selectively retrieving one or more of said corresponding data objects and attributes according to a flag, wherein said flag indicates whether or not a corresponding data object or attribute is to be presented in said third format**, as required by claim 1. Thus, the Examiner has provided three irrelevant sections of Edwards which disclose various features not pertinent to the identified limitation. Applicants assert that neither these sections nor any other section in Edwards teaches this limitation of claim 1.

Thus, for at least the reasons above, Edwards clearly fails to disclose an electronic purchasing and procurement system, comprising applications content translation logic that, in response to receiving a particular purchase request associated with a particular purchasing requisitioner, dynamically presents translated applications content in a third format for delivery to said purchasing requisitioner and also translates content to said particular purchasing requisitioner for presentation thereto, by selectively retrieving one or more of said corresponding data objects and attributes according to a flag, wherein said flag indicates whether or not a corresponding data object or attribute is to be presented in said third format. Therefore, the rejection of claim 1 is not supported by the cited art and removal thereof is respectfully requested. Similar remarks as made above regarding claim 1 also apply to independent claims 11, 17, and 23.

Section 103(a) Rejections:

The Examiner rejected claims 6, 8, 9, 11-15, 17-21 and 23-25 under 35 U.S.C. § 103(a) as being unpatentable over Edwards in view of Meltzer et al. (U.S. Patent 6,125,391) (hereinafter “Meltzer”), claim 10 as being unpatentable over Edwards in view of Laursen et al. (U.S. Patent 6,065,120) (hereinafter “Laursen”), and claim 22 as being unpatentable over Edwards in view of Meltzer and further in view of Laursen. Applicants respectfully traverse these rejections for at least the reasons given above in

regard to Edwards. The other cited references do not overcome any of the above-noted deficiencies of Edwards in regard to Applicants' claims.

In regard to all the rejections under both § 102 and § 103, Applicants assert that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the rejection of the independent claims is unsupported by the cited art as shown above, a further discussion of the dependent claims is not necessary at this time.

CONCLUSION

Applicants submit the application is in condition for allowance, and prompt notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-90100/RCK.

Respectfully submitted,

/Robert C. Kowert/
Robert C. Kowert, Reg. #39,255
Attorney for Applicant(s)

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8850

Date: April 17, 2007